

## AMENDMENTS TO THE CLAIMS

The following listing of claims replaces all prior versions, and listings, of claims in the captioned patent application:

### **Listing of Claims:**

1-37. (Cancelled)

38. (Currently Amended) An implantable tissue-stimulating device comprising:  
a lead extending along a longitudinal axis and having a circumference in a plane  
perpendicular to the longitudinal axis;

a resiliently flexible elongate member extending from the lead and having a proximal end and a distal end and at least one electrode mounted thereon between said proximal and distal ends for delivering electrical stimulation specified at least in part by a speech processor; and

a bioactive substance delivery means adapted to deliver at least one bioactive substance to the implantee at a location spaced from the distal end of the member during or following  
and/or following implantation of the device;

wherein the substance delivery means comprises a body defining a chamber and an outlet in communication with the chamber through which bioactive substance can exit the body and further wherein the body is relatively slidably mounted to the lead of the device; and

wherein the substance delivery means is configured to surround at least a majority of the  
circumference of the lead.

39. (Cancelled)

40. (Currently Amended) The implantable tissue-stimulating device of claim 38 wherein the body further comprises an inlet disposed in a proximal end of the body;  
wherein the outlet is disposed in a distal end of the body; and  
wherein the outlet of the substance delivery means and the lead are configured such that,  
after implantation of the device, the outlet of the substance delivery means is located external  
and adjacent to a is positionable outside and adjacent to the cochleostomy site.

41. (Original) The implantable tissue-stimulating device of claim 38 wherein the lead includes a stop means that prevents the body of the substance delivery means slidably moving relatively past the stop means and onto the elongate member.

42. (Currently Amended) The implantable tissue-stimulating device of claim 38 wherein the body of the substance delivery means comprises an annular member that is configured to  
completely surround the circumference of the lead, positioned around the lead of the stimulating  
device.

43. (Original) The implantable tissue-stimulating device of claim 42 wherein the annular member comprises a first portion and a second portion, the second portion having an outer diameter less than an outer diameter of the first portion.

44. (Currently Amended) The implantable tissue-stimulating device of claim 38 wherein the outlet of the body is positioned in the distal end of the body and wherein the body includes an inlet in the proximal end of the body such that the inlet and outlet are in communication with each other.

45. (Original) The implantable tissue-stimulating device of claim 38 wherein the chamber in the body acts as a reservoir for a bioactive substance and wherein the bioactive substance in the reservoir leaches from the chamber into an implantee.

46. (Original) The implantable tissue-stimulating device of claim 38 wherein the outlet includes a semi-permeable membrane.

47. (Withdrawn) The implantable tissue-stimulating device of claim 44 wherein the inlet of the body is in communication with an additional reservoir for the bioactive substance, said additional reservoir positioned either external or internal the body of the implantee.

48. (Withdrawn) The implantable tissue-stimulating device of claim 47 wherein a catheter extends from the inlet to the additional reservoir and wherein a pump transfers the bioactive substance from the additional reservoir into the chamber of the body for subsequent delivery to the appropriate site of action.

49-50. (Cancelled)

51. (New) The implantable tissue-stimulating device of claim 38, wherein the bioactive substance delivery means is adapted to deliver the at least one bioactive substance to the implantee at the location spaced from the distal end of the member during and following implantation of the device.

52. (New) The implantable tissue-stimulating device of claim 38, wherein at least a portion of the chamber surrounds at least a majority of the circumference of the lead.

53. (New) The implantable tissue-stimulating device of claim 38, wherein the chamber completely surrounds the circumference of the lead.